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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA  
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9 BRIAN D. SHAPIRO, TRUSTEE, } 2:10-CV-00383-PMP-PAL  
10 Appellant, }  
11 vs. } **ORDER**  
12 VONNIE ALLEN, fka VONNIE }  
13 DAGHER; EDWARD DAGHER; }  
14 ADVANTAGE SPORT }  
15 SURFACES, LTD., }  
Appellees. }  
\_\_\_\_\_ )

16 Before the Court for consideration is Appellees' fully briefed Motion to  
17 Dismiss Appeal for Lack of Jurisdiction (Doc. #15), filed on October 4, 2010.  
18 Having read and considered the foregoing the Court finds Appellees' Motion to  
19 Dismiss Appeal for Lack of Jurisdiction (Doc. #15) must be granted.

20 Specifically, the Court finds that the Order denying Motion to Approve  
21 Settlement (Bankruptcy Docket #273) entered in the Bankruptcy Court on February  
22 19, 2010, is not a final judgment, order or decree because the bankruptcy court's  
23 Order does not finally determine the rights of the parties. It is interlocutory in nature  
24 rendering appeal appropriate only with leave of the court. 28 U.S.C. § 158(a).

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**IT IS THEREFORE ORDERED** that Appellees' Motion to Dismiss Appeal for Lack of Jurisdiction (Doc. #15) is **GRANTED** without prejudice to Appellant Brian D. Shapiro, Trustee to seek leave before the Bankruptcy Court to file an Interlocutory Appeal.

DATED: October 27, 2010.

  
Philip M. Pro  
United States District Judge